

**MORRIS, NICHOLS, ARSHT & TUNNELL LLP**

1201 NORTH MARKET STREET  
P.O. BOX 1347  
WILMINGTON, DELAWARE 19899-1347

(302) 658-9200  
(302) 658-3989 FAX

**KAREN JACOBS LOUDEN**  
(302) 351-9227  
(302) 425-4681 FAX  
klouden@mnat.com

February 12, 2013

***BY E-FILING AND FAX***

The Honorable Joel Schneider  
United States District Court for the District of New Jersey  
Mitchell H. Cohen Building & U.S. Courthouse  
4th & Cooper Streets  
Room 1050  
Camden, New Jersey 08101

Re: *Sciele Pharma, Inc., et al. v. Lupin Ltd., et al.*, C.A. No. 09-037-RBK-JS

Dear Magistrate Judge Schneider:

We write on behalf of Shionogi in response to the Lupin Defendants' February 11, 2013 request (D.I. 637) for an extension to produce documents in connection with the Court's January 28, 2013 Order (D.I. 609). Lupin was required to produce licensing agreements and related communications two weeks after issuance of the January 28 Order (i.e. by February 11, 2013). Yet, Lupin now seeks to double the allotted production time and requests another two weeks before completing its production.

Shionogi does not oppose reasonable requests to modify discovery deadlines, and has always worked to accommodate such requests where possible. In this instance however, Shionogi objects for the following reasons. First, fact discovery is set to close on February 28, 2013. Granting Lupin's request would undermine Shionogi's ability to complete fact discovery. Second, the deposition of Lupin's only 30(b)(6) witness relating to Shionogi's damages claim, Robert Hoffman, is scheduled for next Wednesday, February 20. D.I. 598. Should the Court grant Lupin's extension, Shionogi would not have access to all of the court-ordered discovery until after that deposition. D.I. 609 at 7, 8, 10. In order to give Shionogi adequate time to review the entirety of Lupin's production and to prepare for the February 20 Hoffman deposition, Shionogi requests the Court order Lupin to complete its production by this Friday, February 15.

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Respectfully submitted,

*/s/ Karen Jacobs Louden*

Karen Jacobs Louden (#2881)

cc: All Counsel of Record

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